

Substitute for Form PTO-1390 <b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>ATTORNEY'S DOCKET NUMBER</b> 033935-021 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>107551205</b>
INTERNATIONAL APPLICATION NO. PCT/US2004/009387	INTERNATIONAL FILING DATE March 26, 2004	PRIORITY DATE CLAIMED March 28, 2003
TITLE OF INVENTION  <b>ORAL FORMULATIONS OF CLADRIBINE</b>		
APPLICANT(S) FOR DO/EO/US <b>Nicholas S. BODOR and Yogesh DANDIKER</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 21 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <u>Application Data Sheet.</u>  <hr/><hr/><hr/><hr/> </li> </ol>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/551205</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US2004/009387</b>	ATTORNEY'S DOCKET NUMBER <b>033935-021</b>																																																																																																																																										
21. <input type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: IVAX Corporation 4400 Biscayne Boulevard Miami, Florida 33137 US		<b>CALCULATIONS PTO USE ONLY</b>																																																																																																																																										
22. <input checked="" type="checkbox"/> The following fees are submitted:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">Basic Filing Fee (1631)</td> <td style="padding: 5px; text-align: right;">\$ 300.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</td> <td style="padding: 5px; text-align: right;">\$ 130.00</td> </tr> <tr> <td colspan="2" style="padding: 5px; text-align: center;">CLAIMS</td> <td style="padding: 5px; text-align: center;">NUMBER FILED</td> <td style="padding: 5px; text-align: center;">NUMBER EXTRA</td> <td style="padding: 5px; text-align: center;">RATE</td> <td style="padding: 5px; text-align: center;">\$</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Total Claims</td> <td style="padding: 5px; text-align: center;">78</td> <td style="padding: 5px; text-align: center;">-20 =</td> <td style="padding: 5px; text-align: center;">58</td> <td style="padding: 5px; text-align: center;">x \$50.00 (1615)</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Independent Claims</td> <td style="padding: 5px; text-align: center;">6</td> <td style="padding: 5px; text-align: center;">- 3 =</td> <td style="padding: 5px; text-align: center;">3</td> <td style="padding: 5px; text-align: center;">x \$200.00 (1614)</td> </tr> <tr> <td colspan="2" style="padding: 5px;">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td colspan="4" style="padding: 5px; text-align: center;">+ \$360.00 (1616)</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Examination Fee</td> <td colspan="4" style="padding: 5px; text-align: center;">+ \$200.00 (1633)</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Search Fee</td> <td colspan="4" style="padding: 5px; text-align: center;">+ \$500.00 (1632)</td> </tr> <tr> <td colspan="2" style="padding: 5px;">App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)</td> <td colspan="4" style="padding: 5px;"></td> </tr> <tr> <td colspan="2" style="padding: 5px;"></td> <td colspan="4" style="padding: 5px; text-align: center;">TOTAL OF ABOVE CALCULATIONS = \$ 4,630.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.         </td> <td colspan="4" style="padding: 5px; text-align: center;">+ \$ 0.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;"></td> <td colspan="4" style="padding: 5px; text-align: center;">SUBTOTAL = \$ 4,630.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Processing fee of <b>\$130.00 (1618)</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td colspan="4" style="padding: 5px; text-align: center;">\$ 0.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;"></td> <td colspan="4" style="padding: 5px; text-align: center;">TOTAL NATIONAL FEE = \$ 4,630.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (8021)</b> per property +</td> <td colspan="4" style="padding: 5px; text-align: center;">TOTAL FEES ENCLOSED = \$ 4,630.00</td> </tr> <tr> <td colspan="2" style="padding: 5px;"></td> <td colspan="4" style="padding: 5px; text-align: center;">Amount to be refunded :</td> </tr> <tr> <td colspan="2" style="padding: 5px;"></td> <td colspan="4" style="padding: 5px; text-align: center;">charged :</td> </tr> <tr> <td colspan="2" style="padding: 5px;">           a. <input checked="" type="checkbox"/> A check in the amount of <b>\$ 4,630.00</b> to cover the above fees is enclosed.         </td> <td colspan="4" style="padding: 5px;"></td> </tr> <tr> <td colspan="2" style="padding: 5px;">           b. <input type="checkbox"/> Please charge my Deposit Account No. <b>02-4800</b> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.         </td> <td colspan="4" style="padding: 5px;"></td> </tr> <tr> <td colspan="2" style="padding: 5px;">           c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>02-4800</b>. A duplicate copy of this sheet is enclosed.         </td> <td colspan="4" style="padding: 5px;"></td> </tr> <tr> <td colspan="2" style="padding: 5px;">           d. <input type="checkbox"/> Charge _____ to credit card. Form PTO-2038 is attached.         </td> <td colspan="4" style="padding: 5px;"></td> </tr> <tr> <td colspan="6" style="padding: 10px;">           NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.         </td> </tr> <tr> <td colspan="6" style="padding: 10px;">           SEND ALL CORRESPONDENCE TO:              Burns, Doane, Swecker &amp; Mathis, L.L.P.            P.O. Box 1404            Alexandria, Virginia 22313-1404            (703) 836-6620         </td> </tr> <tr> <td colspan="6" style="text-align: right; padding: 10px;">             SIGNATURE            _____            Mary Katherine Baumeister            NAME _____            _____            26,254      September 28, 2005            REGISTRATION NO.      DATE         </td> </tr> </table>	Basic Filing Fee (1631)		\$ 300.00	Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00	CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	\$	Total Claims		78	-20 =	58	x \$50.00 (1615)	Independent Claims		6	- 3 =	3	x \$200.00 (1614)	MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00 (1616)				Examination Fee		+ \$200.00 (1633)				Search Fee		+ \$500.00 (1632)				App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)								TOTAL OF ABOVE CALCULATIONS = \$ 4,630.00				<input type="checkbox"/> Applicant claims small entity status. 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